

**BOARD OF HEALTH**  
**Bangs Community Center**  
**Minutes**

September 30, 2010

BOH Members: David Ahlfeld, Maria Bulzacchelli, Nancy Gilbert, David Kaufman

Staff: Julie Federman, Pamela Field-Sadler

Other: Amherst residents: Chris Brashear, Betsy Krogh, Vladimir Morales; Elms College students: Diane Cody, Meitwa Ji; and Scott Merzbach from the Gazette/Bulletin

**Meeting opened at 7:07 p.m.**

**I. Review & Receive**

**A. Meeting Minutes**

1. Meeting Minutes from September 2, 2010 - **Approved**

**II. New Business**

**A. 10-Day Emergency Beaver or Muskrat Permit Application**

The Board of Health (BOH) reviewed a 10-Day Emergency Beaver or Muskrat Permit application submitted by New England Central Railroad for their property just north of Station Road. Beavers have built a dam causing rising water against the road bed. Ms. Federman reported she consulted with Dave Ziomek and Stephanie Ciccarello from the Amherst Conservation Department, and recommends the application be approved because flooding of the road bed threatens human health and safety. The BOH agreed the circumstances fit the criteria of M.G.L. C.131 §80A in determining a threat to human health and safety in these matters.

**Motion:** Ms. Gilbert made the motion, seconded by Mr. Kaufman, to approve the 10-Day Emergency Beaver or Muskrat Permit application submitted by New England Central Railroad and to issue the permit.

**Vote:** Unanimous

**III. Old Business**

**A. Keeping of Livestock and Poultry**

Ms. Federman reported she has spoken with State Veterinarian Katy Brown who confirmed Municipal Animal Inspectors' duties include overseeing the health and safety of domestic animals; M.G.L. C.129 §7 ensures Municipal Animal Inspectors permission to inspect any premise where animals are kept. Ms. Federman has met with Amherst Animal Wellness Officer Carol Hepburn and her supervisor Police Chief Scott Livingstone; Ms. Hepburn and her supervisor are amendable to the potential increased workload due to poultry inspections and providing education to poultry keepers. Currently, the Health Department has not received any reports of human health problems related to poultry. Creating a census of poultry in Amherst could be useful in order to provide education and provide preventative measures if needed; a simple, low

cost method, such as the current dog licensing process could be put into place. Ms. Federman will continue to work with the Planning Department regarding language which defines the registration process in the proposed amendments to the Accessory Livestock or Poultry bylaw.

**Motion:** Mr. Kaufman made the motion, seconded by Ms. Bulzacchelli, to authorize Chairman Ahlfeld to compose correspondence notifying the Amherst Planning Director that the Board of Health sees no negative impact to public human health from the proposed changes to the Accessory Livestock or Poultry bylaw, and state law is in place under Municipal Animal Inspectors to address the health and well-being of domestic animals.

**Vote:** Unanimous

Ms. Federman will direct Amherst Planning Director Jonathan Tucker to contact Chairman Ahlfeld if he has any questions concerning the BOH's opinion regarding this matter.

#### **B. Board of Health Member Recruitment**

One suggested Board of Health (BOH) candidate has declined; a second candidate is not an Amherst resident. Ms. Federman will contact another suggested community member to discuss their interest. Veterinarian Chris Brashear inquired what the BOH was looking for in a candidate; a BOH member needs to reside in Amherst, and should have expertise in an area of the public health field. The BOH instructed Mr. Brashear to complete a Citizen Action form available on the town website if he is interested in filling the vacant seat on the BOH.

#### **C. Proposed Smoking Disclosure Regulation**

The Board of Health (BOH) reviewed the current draft of the proposed Smoking Disclosure Regulation and discussed potential effective dates.

**Motion:** Mr. Kaufman made the motion, seconded by Ms. Gilbert, to approve the *Town of Amherst Smoking Disclosure in Multi-Unit Rental Residences* regulation with changes.

**Vote:** Unanimous

**Motion:** Ms. Gilbert made the motion, seconded by Mr. Kaufman, the approved *Town of Amherst Smoking Disclosure in Multi-Unit Rental Residences* regulation will become effective February 1, 2011.

**Vote:** Unanimous

Ms. Field-Sadler will prepare the final *Town of Amherst Smoking Disclosure in Multi-Unit Rental Residences* regulation for signature at the next BOH meeting. The BOH recognized the hard work of past BOH member Sandy Sulsky, and current BOH members David Ahlfeld and Maria Bulzacchelli on the Smoking Disclosure Regulation.

### **IV. Health Director's Report**

#### **A. Electronic Cigarettes**

The Board of Health (BOH) reviewed the *Regulation of the South Hadley Board of Health: Sale and Use of Non-Tobacco Nicotine Delivery Products*.

Ms. Federman spoke to Tobacco Control Coordinator Mary Kersell who reports the Department of Public Health recommends amending Youth Access regulations to include language regulating nicotine delivery products which

are not Food and Drug Administration (FDA) approved. Mr. Kaufman agreed to draft amendments to the current Amherst Youth Access regulation to include non-FDA approved nicotine delivery products for the BOH to consider. Ms. Field-Sadler will forward an electronic copy of the current Amherst Youth Access regulation to Mr. Kaufman.

**B. Mount Tom Tobacco Control Coalition**

The Mount Tom Tobacco Control Coalition, which serves Franklin County, is expecting to receive additional funding. In the past, Amherst worked with Franklin County and received services through the Mount Tom Tobacco Control Coalition. The Mount Tom Tobacco Control Coalition will present service deliverables, and Amherst will have the opportunity to consider joining the coalition.

**C. Rental Registration**

During this time of transition in the Town Manager position, it is unclear how the Rental Registration exploration will proceed. Ms. Federman and Assistant Sanitarian Gary Courtemanche visited the town of Marlborough, MA which employs an Enforcement Code Officer whose sole responsibility is to enforce the town's ordinances and state codes. Communications between town departments regarding building issues continues to be a priority; the Health Department is participating in bi-weekly joint inspection meetings with the Fire and Building Departments. Ms. Federman will continue to consult other communities as resources, and will continue to keep the Board of Health updated on any progress.

**D. Fraternities and Sororities Meeting**

Ms. Federman and Mr. Courtemanche attended a meeting with managers of the University of Massachusetts fraternities and sororities. Also attending were the Amherst Fire Inspector and two representatives from the Amherst Building Department. The town representatives emphasized to the managers the importance of the fraternities and sororities to be good neighbors; the need to take care of their buildings; and the importance of safety in all areas.

**E. Vision 20/20**

The Amherst Fire Department has received grant money through Vision 20/20 and will be partnering with the Health Department to provide house inspections and smoke detectors to elders and the Cambodian population. There may also be an opportunity for the Fire Department to reach out to the Spanish speaking community through Casa Latina.

**F. Hoarding**

At a recent Hampshire County Hoarding Task Force meeting, Christopher Overtree, Director of the Psychological Services Center (PSC) at UMass, provided a presentation of services. Ms. Federman would possibly like to partner with PSC to help community members dealing with hoarding behaviors. Ms. Federman has approached the Amherst Community Development Department to discuss the possibility of obtaining Community Development Block Grant funds to assist in securing this partnership.

- V. Schedule Next Board of Health Meeting/Agenda Closing Date**  
**A.** The next Board of Health meeting is scheduled for October 19, 2010.

**Meeting Adjourned: 8:55 p.m.**

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Pamela Field-Sadler, Management Assistant  
**Approved: 10-26-2010**

Board of Health  
September 30, 2010  
Bangs Community Center  
**Meeting Document List**

The following documents were available to the Board of Health during their scheduled meeting. These documents are available for review at the:

**Amherst Health Department, 70 Boltwood Walk, Amherst, MA 01002**

- Meeting Agenda
- Meeting Minutes: September 2, 2010 (draft)
- 10 Day Emergency Beaver or Muskrat Permit
  1. Application Packet: New England Central Railroad
  2. Permit for Signature (upon approval)
  3. Chapter 42: Beaver or Muskrat related Threats (MA Board of Health Guidebook)
- Keeping of Livestock and Poultry
  1. Municipal Animal Inspectors Qualifications/Duties
  2. Best Management Practices for Backyard Poultry Keepers
  3. Draft Article: *Accessory Livestock or Poultry*
  4. Letter from Chris Brashear D.V.M.
- Tobacco
  1. Proposed Smoking Disclosure Regulation
    - A. Draft of the proposed: *Town of Amherst Regulation Smoking Disclosure in Multi-Unit Rental Residences*
- Director's Report
  1. *Regulations of the South Hadley Board of Health: Sale and Use of Non-Tobacco Nicotine Delivery Products*